THE FOLLOWING ARE SECTIONS FROM TITLE 18 -- ANNEXATION AND LAND DEVELOPMENT:

CHAPTER 18.06 ADMINISTRATION AND PROCEDURES

ARTICLE I: ADMINISTRATION ROLES AND RESPONSIBILITIES

Section 18.06.104 Historical Resources Commission

(a) CREATION OF HISTORICAL RESOURCES COMMISSION.

There is hereby created a historical resources commission.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5327, § 1, 4-23-02)

(b) POWERS AND DUTIES OF THE HISTORICAL RESOURCES COMMISSION.

The historical resources commission shall have the following powers and duties:

- (1) To adopt bylaws, rules and regulations;
- (2) To conduct surveys to identify districts, areas, places, buildings, structures, sites, landscapes, objects and properties known hereafter as historic resources in the City of Reno (city) having historic, community, architectural, archaeological, or aesthetic importance, interest, or value.
- (3) To investigate and recommend to the city and to the city council the adoption of ordinances concerning historic resources;
- (4) To investigate and recommend to the city and the city council the maintenance of a register of historic resources to include information concerning historic resources;
- (5) To determine the appropriate markings and recommendations for the design and implementation of markings for historic resources, streets, and routes leading from one resource to another:
- (6) To advise and assist owners or other persons, entities, or governmental, or private agencies concerned with historic resources;
- (7) To make nominations to the National Register of Historic Places (places) and to review and comment on any National Register nominations and to do likewise as to any register established by the State of Nevada, city, or any other entity;
- (8) To inform and educate the citizens of the city and visitors to the city concerning historic resources by promoting, assisting, or publishing appropriate maps, newsletters, brochures, pamphlets, or other materials and by holding programs, seminars, or meetings;
- (9) To administer on behalf of the city, historic resources of full or partial interest, including, but not limited to, easements that the city may have or accept as a gift or otherwise;
- (10) To accept and administer, in accordance with a budget approved by the city council, such gifts, grants, and money as may be appropriate for the purposes of the commission and this chapter;
- (11) To call upon city council members, city staff, experts, and others for advice;
- (12) To hire specialists or consultants, in accordance with a budget approved by the city council, or to appoint committees as may be required from time to time;
- (13) To present or hear evidence, testify or assist as may be appropriate before all boards, commissions, committees, councils, and related public and private entities on any matter affecting historic resources;

- (14) To confer recognition upon the owners, or other entities involved in historic resources by means of certificates, plaques, markers, or otherwise;
- (15) To develop a preservation component and periodic updating for the city's or other government master plan and present same;
- (16) To periodically review whatever ordinances, regulations, and recommendations that may be implemented or considered for implementation affecting historic resources by the city and recommend changes, deletions, or additions; and
- (17) To undertake any other action or activity necessary or appropriate to the implementation of the commission's powers and authorities or to the implementation of this chapter.

(Ord. No. 4313, § 1, 6-8-93)

(c) COMPOSITION.

- (1) The historical resources commission shall consist of seven members, who are residents of the State of Nevada, each appointed by an affirmative vote of no less than four members of the city council, which includes the mayor. At all times, five commissioners shall be residents of the City of Reno.
- (2) The historical resources commission shall be composed of the following positions:
 - a. One position held by a person who has a graduate degree in architectural history and at least two years of related work experience;
 - **b.** One position held by a person who is a registered architect in the State of Nevada;
 - **c.** One position held by a person who is recommended by the state historic preservation officer;
 - d. One position held by a person who is a licensed structural engineer in the State of Nevada and has at least two years of related work experience; and
 - **e.** One position held by a person who has a graduate degree in history and at least two years of related work experience.
 - f. Two positions held by persons who have historic preservation or related expertise.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5327, § 1, 4-23-02)

(d) TERMS OF OFFICE.

- (1) The regular term of membership on the historical resources commission shall be three years.
- (2) A commissioner may serve two consecutive regular terms on the historical resources commission.
- (3) A person may serve more than two consecutive regular terms on the historical resources commission in accordance with subsection (d) provided such regular terms are separated by a period of not less than three years.
- (4) A person who is recommended by the state historic preservation officer to hold the position set forth in Section 18.06.104(c)(2)c. is not subject to term limits.
- (5) A member of the historical resources commission may hold only one position set forth in Section 18.06.104(c)(2).
- (6) At the time of adoption of this ordinance, the city council shall appoint current commissioners of the historical resources commission to the positions set forth in Sections 18.06.104(c)(2)a.- e. for the remaining balance of their unexpired terms of office. Any commissioner, who is not qualified to hold such a position, shall remain on the historical resources commission for the balance of his unexpired term and will be appointed to the positions set forth in Section 18.06.104(c)(2)f. Each current

commissioner may be reappointed for one additional term. If the number of current commissioners exceeds the number of positions set forth in Section 18.06.104(c)(2)f., then the number of such positions will be expanded to accommodate the number of current commissioners so appointed. The number of positions in Section 18.06.104(c)(2)f. will be reduced as each current commissioner completes the balance of his term or resigns, or if re-appointed, that term, until only two positions remain in this category.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5327, § 1, 4-23-02)

(e) DESIGNATION OF ALTERNATE COMMISSIONER.

- (1) The city council, which includes the mayor, may designate an alternate commissioner to serve on the historical resources commission when a commissioner is temporarily absent. The commissioner's temporary absence shall not exceed three months. The designated alternate commissioner shall meet the same requirements of the position as the commissioner who is temporarily absent.
- (2) A commissioner is temporarily absent when he will be absent at a regular meeting for a consecutive third time or longer.
- (3) Either the chair of the historical resources commission or the temporarily absent commissioner may seek the designation of an alternate commissioner. Before any such alternate commissioner may serve on the historical resources commission, the city council shall have appointed the alternate commissioner for a specific period. The period of designation shall be three months.
- (4) An alternate commissioner may be designated for more than one three-month period.
- (5) Once an alternate commissioner is designated, the alternate shall sit as a commissioner on the historical resources commission for the period of the designation.

(Ord. No. 5327, § 1, 4-23-02)

CHAPTER 18.18 HISTORIC PRESERVATION

ARTICLE II: GENERAL PROVISIONS

Section 18.18.101 Purpose

The purpose of this chapter is:

- (a) To protect the historic integrity of the City of Reno for the citizens of the community, visitors, investors, and property owners;
- (b) To promote the economic, cultural, historical, and educational well being of the community;
- (c) To enhance pride in the historic accomplishments within the City of Reno;
- (d) To provide mechanisms for identifying and preserving the historic and architectural resources of the City of Reno which represent elements of the city's cultural, social, economic, political, and architectural history;
- **(e)** To educate the citizens of Reno to the benefits of historic preservation of structures, areas, sites, neighborhoods, and other historic resources, thereby correcting existing and preventing further urban blight;
- (f) To establish a preservation plan which shall include all historic districts, structures, areas, sites, and other historic resources which are listed or are eligible for the National, State or City Register of Historic Places. The plan shall also include procedures for designation of historic resources or historic districts and issuance of certificates of appropriateness from the

historical resources commission indicating its approval of plans for alteration, construction, removal, or demolition of an historic resource.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.102 Administration

There is hereby created an historical resources commission to administer this chapter. See Section 18.06.104 for a description of the historical resources commission's powers and duties under this chapter and title.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5327, § 1, 4-23-02)

Section 18.08.103 Review of Premises

As part of its review procedure in designating an historic resource or district or in considering a certificate of appropriateness or demolition certificate, the historical resources commission shall have the right to enter onto a parcel under consideration at any reasonable time and may seek the advice of the state historic preservation officer or such other expert(s) as it may deem necessary under the circumstances.

(Ord. No. 4313, § 1, 6-8-93)

ARTICLE III: DESIGNATION OF HISTORIC RESOURCES AND DISTRICTS

Section 18.18.201 Criteria for Designation

- (a) The historical resources commission shall maintain, on behalf of the City of Reno, a register of historic resources and historic districts that possess integrity of location, design, setting, materials, workmanship, feeling and association, and meet one or more of the following criteria:
 - (1) Listed on the National or State Register of Historic Places; or
 - (2) Associated with events that have made a significant contribution to the broad patterns of local, county, state, or national history; or
 - (3) Associated with the lives of persons who contributed significantly to the community, county, state or country; or
 - (4) Embody the distinctive characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; or
 - (5) Represent the work of a master builder, architect, landscape architect, artist, engineer or other design professional whose individual work has influenced the development of the community, county, state, or country; or
 - (6) Embody elements of design, detailing, materials, or craftsmanship that render it architecturally significant; or
 - (7) Represent a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; or
 - (8) Have yielded, or there exists very strong evidence that the resource may be likely to yield, information important in Reno prehistory or history; or
 - (9) Possess a significant concentration or continuity of areas of land use, landscape, buildings and structures, roads and water ways, and natural features, and/or heritage and cultural characteristics.

Section 18.18.202 Procedures for Nomination and Designation

(a) NOMINATIONS OF HISTORIC RESOURCES AND HISTORIC DISTRICTS.

Nominations shall be made to the historical resources commission on a form approved by it. Nominations may be submitted by the historical resources commission, owner of record for the nominated property, or the city council, however, nominations require owners' consent.

(b) NOTIFICATION OF NOMINATION.

The historical resources commission shall schedule a public hearing on the nomination within 30 days following receipt of a completed nomination in proper form. The historical resources commission shall give notice of the date, time, place, and purpose of the public hearing by regular mail to the owner of record and to the nominators, as well as to property owners within 300 feet of the nominated historic resource or district at least ten days prior to the date of the hearing. Notice shall also be published in a newsletter having general circulation in the City of Reno. The notice shall state the street address or approximate location if there is no street address of a nominated historic resource and the boundaries of a nominated historic district.

(c) PUBLIC HEARING.

Oral or written statements concerning the significance of the nominated historic resource or district shall be taken at the public hearing. The historical resources commission may present expert testimony or present its own evidence regarding the compliance of the nominated resource or district with the criteria for consideration of a nomination set forth in this chapter. The owner of any nominated historic resource or of any property within a nominated historic district shall be allowed reasonable opportunity to present evidence regarding significance and reasonable opportunity to have their questions answered by any expert witnesses. The hearing shall be closed upon completion of public comment.

(d) FINDINGS OF HISTORICAL RESOURCES COMMISSION.

The historical resources commission shall within 45 days from receipt of a completed nomination in proper form adopt findings that the nominated historic resource or historic district does or does not meet the criteria for designation contained in this chapter. The findings of the historical resources commission shall be filed with the city clerk within seven days following the historical resources commission's determination and shall contain the following information:

- (1) Explanation of the significance or lack of significance of the nominated historic resource or district:
- (2) Explanation of the integrity or lack of integrity of the nominated historic resource or historic district;
- (3) The significant exterior architectural features of the nominated historic resource that should be protected;
- (4) The types of construction, alteration, demolition, and removal that should be reviewed for appropriateness pursuant to the provisions of this chapter;
- (5) Designation as an historic resource or as an historic district will or will not create an economic hardship upon the owner of the property to be designated as an historic resource, or upon an owner of property within an historic district to be designated. Consideration of the economic effects of designation shall be in accordance with the provisions of this chapter.

In the event that, under the provisions of this chapter, it is necessary for the historical resources commission to prepare a plan to alleviate anticipated economic hardship, then the above time limit is automatically extended by 60 days, during which time the city council shall not consider any action regarding the subject property.

(e) NOTIFICATION OF DETERMINATION.

A notice of the findings of the historical resources commission shall be sent by regular mail to the owner of record of a nominated historic resource and to all property owners within a nominated historic and to the nominator within seven days following the historical resources commission's determination.

(f) APPEAL.

A decision by the historical resources commission that the nominated historic resource or historic district does not meet the criteria for designation shall be a final decision. A recommendation by the historical resources commission that the nominated historic resource or historic district does meet the criteria for designation by the city council may be appealed to the city council by completing an appeal form and filing it with the city clerk within ten days of the date of the meeting at which the recommendation was made. Upon receipt of an appeal on the appropriate form accompanied by the service charge approved by the city council for appeals, the city clerk shall give notice by regular mail to the owner of record, the nominators and all property owners within 300 feet of the nominated historic resource or district at least ten days prior to the date of the public hearing. Said notice shall contain the date, time, place and purpose of the public hearing and the street address or approximate location of a nominated historic resource or district.

(g) ACTION BY CITY COUNCIL.

The city council shall, within 60 days after receiving the recommendation that the nominated historic resource or district be designated or upon receipt of a written appeal, either reject the recommendation or appeal or designate the historic resource or historic district. The city clerk shall provide written notification of the action of the city council to the planning commission, the building inspector, the nominator, the appellant, and the owner(s) of record of the nominated historic resource or of all property within a nominated historic district. The planning commission, upon receipt of the notice from the city clerk that the city council has designated the property as an historic resource or historic district, shall initiate a zoning map amendment to add an historic or landmark overlay district to the property. Such a zoning map amendment shall follow the procedure established in Chapter 18.06.

(h) AMENDMENT OR RESCISSION OF DESIGNATION.

Designation may be amended or rescinded upon petition to the historical resources commission, following the same procedure and according to the same criteria set forth herein for designation.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.203 Interim Control During Nomination Process

No permit shall be issued by the city for alteration, construction, demolition, or removal of a nominated historic resource or of any property or structure within a nominated historic district from the date on which a nomination form is first submitted to the historical resources commission until the final disposition of the nomination, unless such alteration, removal, or demolition is authorized by the city council as necessary for public health, welfare, or safety. In no event shall the delay be for more than 120 days.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.204 Adoption of Design Guidelines or Standards

Design guidelines or standards may be adopted by the city council for the area surrounding designated historic resources or historic districts.

(Ord. No. 4313, § 1, 6-8-93)

ARTICLE IV: APPLICABLE PROCEDURES AND STANDARDS FOR DEVELOPMENT

Section 18.18.301 Applicability and Exclusions

(a) INTERIOR ARRANGEMENT NOT CONSIDERED.

The historical resources commission shall not consider interior arrangement. No certificate of appropriateness shall be required for interior changes. However, this does not excuse the property owner from obtaining any required building or other permit for interior work.

(Ord. No. 4313, § 1, 6-8-93)

(b) CERTAIN CHANGES NOT PROHIBITED.

- (1) Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature located on a property which is on the register or within an historic district which does not involve a substantial change in design, material or outer appearance thereof, provided any required permit is obtained.
- (2) This chapter shall not be construed to prevent the alteration, construction, restoration, reconstruction, or demolition of any feature which the appropriate public safety official requires to be removed in an emergency situation because of an unsafe or dangerous condition. Any action taken pursuant to this section shall be reported to the historical resources commission by the public safety official in a letter describing the circumstances within ten days following the action.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.302 Applicable and Related Procedures

- (c) An applicant for a certificate of appropriateness shall obtain any special use permit or variance required by provisions of Title 18 in addition to any required certificate of appropriateness. A certificate of appropriateness must be obtained prior to submission of any required special use permit or variance application.
- (d) The applicant may request that a certificate of appropriateness be run as a concurrent application from the historical resources commission and the planning commission, however, the applicant does so at his own risk.
- **(e)** When the historical resources commission recommends a change in plans that requires a variance, the historical resources commission recommendation shall not be binding on the planning commission or city council in their review of the variance application.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5729, § 9, 9-16-05)

Section 18.18.303 Historical Resources Commission Recommendation on Related Zoning Applications

All special use permit, variance and zoning map amendment applications for parcels on the register or within historic districts and all applications for an historic-landmark overlay zone or for a special use permit for property which already is zoned with an historic-landmark overlay shall be reviewed by the historical resources commission. The historical resources commission shall make timely recommendations to the planning commission so that its review shall not delay or impede the normal processing and review of such requests.

(Ord. No. 4313, § 1, 6-8-93; Ord. No. 5729, § 9, 9-16-05)

Section 18.18.304 Demolition Certificate

(a) REQUIRED.

From and after the designation of a building or site as an historic resource or inclusion within a historic district, primary buildings shall not be completely demolished prior to the approval

of a demolition certificate by the historical resources commission. Partial demolitions are not included in this section, but instead require a certificate of appropriateness (see appropriate section of this chapter).

(b) APPLICATION PROCEDURE.

(1) Application.

An application must be submitted at least 15 working days prior to the meeting of the historical resources commission at which the application is to be discussed.

(2) Notice.

All property owners within 300 feet of the subject property shall be notified by mail at least ten days prior to the meeting using stamped, addressed envelopes supplied by the applicant.

(3) Public hearing.

The historical resources commission shall hold a public hearing concerning the application.

(4) Decision.

The historical resources commission must approve a demolition certificate within 120 days after acceptance of a complete application, except when the time limit has been extended by mutual agreement between the applicant and the historical resources commission. During this one hundred twenty-day period the historical resources commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.305 Certificates of Appropriateness

(a) INTENT.

It is the intent of these regulations to insure that buildings, structures or districts on the register shall be in harmony with their surroundings. It is not the intention of these regulations to require the reconstruction or restoration of individual or original buildings, to prohibit the demolition or removal of such buildings or to impose architectural styles from particular historic periods. In considering new construction, the historical resources commission shall encourage contemporary design which is harmonious with the character of the district or historic resource.

(b) REQUIRED.

From and after the designation of the placement of a resource or district on the City of Reno Historic Register, no exterior portion of any building or other exterior feature including masonry walls, fences, light fixtures, steps, pavement, advertising signs or other appurtenant features on the parcel shall be erected, altered, restored, moved or partially demolished until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the historical resources commission except as provided in Section18.18.301(b) above. Design guidelines or standards may be adopted by the city council for the area surrounding historic resources or historic districts. In an historic district, street widening, utility, street lighting, and bridge replacement projects, which involve undergrounding or relocation of aboveground facilities, or sidewalk projects, which involve relocation or widening, shall require a certificate of appropriateness. Such a certificate shall be obtained prior to the issuance of a building permit for the purpose of constructing, altering, moving or partially demolishing historic resources, but shall be required whether or not a building permit is required. Any permit not issued in conformity with this section shall be invalid.

(c) APPLICATION PROCEDURE.

(1) Pre-application meeting.

It shall be the policy of the historical resources commission, in regard to applications involving new structures or extensive alterations and additions to existing structures,

that a committee of the historical resources commission shall be available to meet informality with the applicant or his/her agent at an early stage in the design process to advise them concerning the historical resources commission guidelines, the nature of the area where the proposed work is to take place and other relevant factors. The committee, collectively and individually, shall refrain from any indication of approval or disapproval of the proposal, but shall not be barred from a reasonable discussion of the applicant's proposals. No advice or opinion given, or reported as having been given, by any member of the committee at such informal meeting shall be in any way official or binding upon the historical resources commission. A meeting of the committee shall be called at the request of an applicant.

(2) Application.

An application accompanied by sketches, drawings, photographs, specifications, descriptions, and any other necessary information regarding the proposed project, must be submitted at least 15 working days prior to the meeting of the historical resources commission.

(3) Notice.

All property owners of property within 300 feet of the subject property shall be notified by mail at least ten days prior to the meeting at which the matter is to be heard using stamped, addressed envelopes supplied by the applicant.

(4) Public hearing.

The historical resources commission shall hold a public hearing concerning the application.

(5) Findings.

In reviewing a certificate of appropriateness, the historical resources commission shall take into account the historic or architectural significance of the structure under consideration, the exterior form and appearance of any proposed additions or modifications to that structure, as well as the effect of such change or additions upon other structures in the vicinity and shall make findings related to the following standards:

- **a.** Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its original purpose.
- **b.** The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided, when possible.
- c. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
- d. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right. This significance shall be recognized and respected.
- **e.** Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
- f. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- g. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- h. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
- i. Contemporary design or alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

(6) Economic finding.

In the event that the historical resources commission denies a certificate of appropriateness, then the historical resources commission must review the economic effects on the owner of the property and make a finding as to whether or not an economic hardship has been created as outlined within this chapter.

(7) Decision.

The historical resources commission must approve or deny a certificate of appropriateness within 45 days after acceptance of a complete application, except when the time limit has been extended by mutual agreement between the applicant and the historical resources commission. The certificates may be issued subject to reasonable conditions necessary to carry out the purposes of this chapter, it is necessary for the historical resources commission to prepare a plan to alleviate anticipated economic hardship, then the above time limit is automatically extended by 60 days, during which time the city council shall not consider any action regarding the subject property.

(8) Notification of decision.

The decision of the historical resources commission shall be sent by regular mail to the applicant within seven days following the historical resources commission's action. A copy of the decision shall also be forwarded to those departments or divisions responsible for the issuance of permits.

(9) Appeal.

A decision by the historical resources commission to approve shall be a final decision. A decision by the historical resources commission to approve with conditions or to deny a certificate of appropriateness may be appealed to the city council by completing an appeal form and filing it with the city clerk within ten days of the date of the meeting at which the decision was made. Upon receipt of an appeal on the appropriate form accompanied by the service charge approved by the city council for appeals, the city clerk shall give notice by regular mail to the applicant and all property owners within 300 feet of the subject property at least ten days prior to the date of the public hearing. Said notice shall contain the date, time, place and purpose of the public hearing and the street address or approximate location of the subject property.

(d) REPEAT APPLICATIONS.

If the historical resources commission denies an application for a certificate of appropriateness, a new application affecting the same property may be submitted within one year of the denial only if either a substantial change is made in the plans for the proposed alteration, construction, restoration, reconstruction, moving or demolition or other conditions related to the register or surrounding uses have changed substantially.

(e) CONCURRENT APPROVALS.

The historical resources commission shall use all reasonable efforts to expedite any concurrent process with the State Historic Preservation Officer, if such a process is desired by the applicant for the purpose of securing both a certificate of appropriateness and a federal historic preservation tax credit.

(f) EXPIRATION OF CERTIFICATE OF APPROPRIATENESS.

If a permit has not been issued, when required, and construction commenced within 18 months of issuance of the certificate of appropriateness by the historical resources commission, the certificate shall expire, unless a time extension has been granted by the historical resources commission prior to the expiration date. If work on an approved project is begun and then suspended for more than one year, the certificate of appropriateness shall expire unless the applicant applies for and receives approval of a time extension from the historical resources commission.

(Ord. No. 4313, § 1, 6-8-93)

Section 18.18.306 Reserved

Section 18.18.307 Economic Effect

- (a) If a property or district is nominated for designation or application is made for a certificate of appropriateness, the historical resources commission shall consider the economic effects of approving the proposed designation or denying the certificate of appropriateness.
- (b) In order to demonstrate economic hardship, the owner shall provide sufficient evidence to demonstrate that:
 - (1) The cost of renovating the existing structure, so that it can be used for the intended purpose, exceeds the cost of new construction; or
 - (2) The existing structure cannot be used, even with alterations, for the intended purpose; or
 - (3) The alterations needed to create a structure that will be sufficient to meet the needs of the intended use will destroy the historic or architectural integrity of the property; or
 - (4) Through no fault of the property owner, the area surrounding the historic resource has been significantly altered so as to destroy the integrity of the historic area surrounding the resource; or
 - (5) That designation or denial of a certificate of appropriateness will deny the owner reasonable use or return from the property.
- (c) If the historical resources commission finds that an economic hardship may occur by designation as a historic resource or historic district or denial of a certificate of appropriateness, the historical resources commission shall submit to the city council for its approval a mutually acceptable plan intended to alleviate the anticipated economic hardship with its recommendation for designation or, in the event of the denial of a certificate of appropriateness, prior to the city council hearing on the appeal. The plan may include incentives such as:
 - (1) Partial or complete tax exemption.
 - (2) Alternative alterations, construction or rehabilitation consistent with preservation standards.
 - (3) City issued revenue or general obligation bonds using the proceeds to make loans for rehabilitation and reuse consistent with preservation standards.
 - (4) Using city funds to make low interest loans for rehabilitation and reuse consistent with preservation standards.
 - (5) Building code modifications or exemptions.
 - (6) Changes in zoning requirements.

- (d) If the historical resources commission fails to timely submit a plan, or if a mutually acceptable plan cannot be developed, or if the city council fails to approve a plan submitted by the historical resources commission, the city council shall:
 - (1) Acquire the property; or
 - (2) Acquire a historic easement over the property; or
 - (3) Reject the proposed designation; or
 - (4) Grant the certificate of appropriateness.

(Ord. No. 4313, § 1, 6-8-93)